

IN THE UNITED STATES PATENT OFFICE

In re: Gary D. Jerdee et al. : Art Unit: 1771
: Examiner: C. Juska
Date filed: July 19, 2001 :
: Docket No.: 71163-03
Serial No.: : Date: July 19, 2001

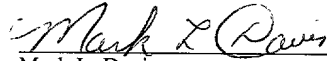
Title: Polymeric Based Carpet

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING 37 CFR 1.10

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Date: July 19, 2001


Mark L. Davis

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**Preliminary Amendment
Under 37 CFR §1.115**

Sir,

In the above identified patent application please enter the following amendments to the title, specification and claims before determining the appropriate application fee.

Enclosed herewith are:

- (1) Copy of the Declaration from the parent application;
- (2) Information Disclosure Statement and cover sheet;
- (3) Copy of Appointment of Associate Attorney filed in parent application; and
- (4) Copy of Change in Correspondence Address filed in parent application;

This preliminary amendment is arranged as follows:

Pages 2- 5 are the claims in clean form; and

Page 5 contains the Remarks portion of this preliminary amendment.

Page 6 contains the version of claim 1 showing the changes made.

In the specification:

On the first line of the specification please insert -- This application is a continuation of the copending US application having US Serial No. 09/252,599 filed February 16, 1999, the entire disclosure of which is incorporated herein by reference, and claims benefit to the same under 35 U.S.C. § 120.--

In the claims:

Please cancel claims 2-21 without prejudice.

Please add new claims 22-31 as indicated below.

The clean copy of claims which follow are:

- ☒ all the claims pending in the case after amendment; or
☐ only those claims which have been requested to be amended and/or added.

CLEAN COPY OF NEW PARAGRAPH FOR THE SPECIFICATION

This application is a continuation of the copending US application having US Serial No. 09/252,599 filed February 16, 1999, the entire disclosure of which is incorporated herein by reference, and claims benefit to the same under 35 U.S.C. § 120.

CLEAN COPY OF CLAIMS

1. (Amended) A carpet composition, recyclable without a separation step, having from 50 to 100 percent polymeric material comprising:

- a) a tufted primary backing having a primary backing and tufts of carpet fibers penetrating a bottom surface of the primary backing and protruding from a top surface of the primary backing;
- b) a secondary backing material; and
- c) an adhesive material binding an upper surface of the secondary backing material to the bottom surface of the primary backing;

wherein the adhesive material comprises a blend comprising an ethylene methyl acrylate copolymer and at least one polymer selected from the group consisting of low density polyethylenes, linear low density polyethylenes, high density polyethylenes, ultra low density polyethylene, ethylene-propylene copolymers, elastomers, styrenic copolymers of butadiene, styrenic copolymers of acrylonitrile, styrenic copolymers of ethylene, metallocene based polyethylenes, polyester, ethylene acrylic acid copolymers, ethylene methyl acrylic acid copolymers, butyl acrylate copolymers, ionomers, polyamides, and maleic anhydrides.

--22. (New) The carpet composition of claim 1 wherein said adhesive material comprises a blend comprising an ethylene methyl acrylate copolymer and at least one polymer selected from the group consisting of low density polyethylenes, linear low density polyethylenes, high density polyethylenes, ultra low density polyethylene, and metallocene based polyethylenes.

23. (New) The carpet composition of claim 1 wherein said adhesive is a coextruded blend.

24. (New) The carpet composition of claim 1 wherein said adhesive material has a thickness of from 0.001 inches to 0.050 inches.

25. (New) The carpet composition of claim 1 further comprising additives selected from the group consisting of fillers, flame retardants, odor reduction additives, scent enhancing additives and ultra-violet light protection additives.

26. (New) The carpet composition of claim 1 wherein said carpet fibers, primary backing material and secondary backing material are selected from the group consisting of polypropylene, polyester, acrylics, polyethylene, polyamide, nylon, wool, cotton, rayon and combinations thereof.

27. (New) A carpet composition, recyclable without a separation step, having from 50 to 100 percent polymeric material comprising:

- a) a tufted primary backing having a primary backing and tufts of carpet fibers penetrating a bottom surface of the primary backing and protruding from a top surface of the primary backing;
- b) a secondary backing material; and
- c) an adhesive material binding an upper surface of the secondary backing material to the bottom surface of the primary backing;

wherein the adhesive material comprises a blend consisting essentially of an ethylene methyl acrylate copolymer and at least one polymer selected from the group consisting of polypropylene, rubber, EPDM rubber, ethylene vinyl acetate copolymers, and mixtures thereof.

28. (New) The carpet composition of claim 27 wherein said adhesive is a coextruded blend.

29. (New) The carpet composition of claim 27 wherein said adhesive material has a thickness of from 0.001 inches to 0.050 inches.

30. (New) The carpet composition of claim 27 further comprising additives selected from the group consisting of fillers, flame retardants, odor reduction additives, scent enhancing additives and ultra-violet light protection additives.

31. (New) The carpet composition of claim 27 wherein said carpet fibers, primary backing material and secondary backing material are selected from the group consisting of

polypropylene, polyester, acrylics, polyethylene, polyamide, nylon, wool, cotton, rayon and combinations thereof. --

REMARKS

Claim 1 is in the case and is presented for reconsideration.

Claims 2-21 have been cancelled without prejudice.

Claims 22-31 are new and are presented for consideration.

Applicants submit that the application as now amended is in condition for allowance and respectfully request that the examiner pass the application to allowance at the earliest convenience.

Version of Claims With Markings To Show Changes Made

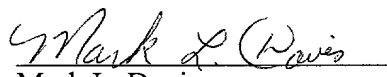
1. (Amended) A carpet composition, recyclable without a separation step, having from 50 to 100 percent polymeric material comprising:

- a) a tufted primary backing having a primary backing and tufts of carpet fibers penetrating a bottom surface of the primary backing and protruding from a top surface of the primary backing;
- b) a secondary backing material; and
- c) an [extruded] adhesive material [or a coextrusion of two or more extruded adhesive materials] binding an upper surface of the secondary backing material to the bottom surface of the primary backing;

[wherein the carpet fibers, primary backing material and secondary backing material are selected from the group consisting of polypropylene, polyester, acrylics, polyethylene, polyamide, nylon, wool, cotton, rayon and combinations thereof;

and] wherein the adhesive material comprises [an amorphous polyethylene copolymer selected from the group consisting of ethylene methyl acrylate, ethylene normal butyl acrylate, and blends of two or more polyethylene copolymers] a blend comprising an ethylene methyl acrylate copolymer and at least one polymer selected from the group consisting of low density polyethylenes, linear low density polyethylenes, high density polyethylenes, ultra low density polyethylene, ethylene-propylene copolymers, elastomers, styrenic copolymers of butadiene, styrenic copolymers of acrylonitrile, styrenic copolymers of ethylene, metallocene based polyethylenes, polyester, ethylene acrylic acid copolymers, ethylene methyl acrylic acid copolymers, butyl acrylate copolymers, ionomers, polyamides, and maleic anhydrides.

Respectfully submitted,


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